

## **HOOVER CITY COUNCIL MINUTES OF MEETING**

**DATE:** Tuesday, January 19, 2016

**TIME:** 6:00 P.M.

**PLACE:** Hoover Municipal Center

**PRESENT:** Mayor Gary Ivey  
Mr. Jack Wright, Council President  
Mr. John Greene, Council Member  
Mr. John Lyda, Council Member  
Mr. Joe Rives, Council Member  
Admiral Jack Natter, Council Member  
Mr. Brian Skelton, Council President Pro-Tempore

**ABSENT:** Mr. Gene Smith, Council Member

**ALSO PRESENT:** Mr. Charlie Waldrep, Waldrep Stewart & Kendrick, City Attorney  
Ms. April Danielson, Waldrep Stewart & Kendrick  
Mr. Nic Waddell, Waldrep Stewart & Kendrick  
Chief Nick Derzis, Police Chief  
Ms. Susan Fuqua, Director, Municipal Court  
Mr. Rod Long, City Engineer  
Mr. Frank Lopez, Director, Revenue and Taxation  
Dr. Melinda Lopez, Director, Information Management & Reporting  
Mr. Craig Moss, Director, Parks and Recreation  
Mr. Allen Pate, Executive Director  
Mr. Ben Powell, Purchasing Director  
Mr. Don Reilly, Director, Inspection Services  
Ms. Carrie Steinmehl, Library  
Mr. Tim Westhoven, Assistant Executive Director  
Chief Chuck Wingate, Fire Chief  
Mr. Robert Yeager, Finance Director

The meeting was called to order by Council President Jack Wright.

The clerk had roll call and a quorum was present.

The clerk gave the invocation.

The Pledge of Allegiance was led by Boy Scout, Haugen Woodard of Troop 367.

### **1. REPORTS**

**Lara Alvis, Candidate, Shelby County Circuit Judge**, introduced herself and asked for support in the upcoming election.

**Lynneice Washington, Candidate, District Attorney, Jefferson County, Bessemer Division**, introduced herself and asked for support in the upcoming election.

**Aaron Dettling, Candidate, Jefferson County Circuit Judge, Place 25**, introduced himself and asked for support in the upcoming election.

Mr. Skelton made a motion to **reappoint Mr. Otis Bibb to the Personnel Review Board**. This motion was seconded by Mr. Rives. On voice vote the motion carried unanimously.

2. **MINUTES**

Mr. Wright stated each member of the Council had previously received a copy of the minutes of the January 4, 2016 regular meeting.

Mr. Skelton made a motion that the minutes be approved as presented and to dispense with the reading. This motion was seconded by Admiral Natter. Mr. Wright called for discussion. There being none, on voice vote the motion carried unanimously.

3. **RESOLUTION NO. 5362-16 – AUTHORIZE MAYOR TO EXECUTE STANDARD PROJECT RESOLUTION, MAINTENANCE AGREEMENT AND PLANS WITH ALDOT – SIDEWALKS ON VALLEY STREET, TYLER ROAD, CLOUDLAND DRIVE, SAVOY STREET AND CLEARVIEW ROAD (BLUFF PARK)**

The City Attorney read Resolution No. 5362-16. This would authorize the Mayor to execute a Standard Project Resolution, Maintenance Agreement and Plans with the Alabama Department of Transportation for Sidewalks on Valley Street, Tyler Road, Cloudland Drive, Savoy Street and Clearview Road in Bluff Park.

Mr. Skelton made a motion to approve **Resolution No. 5362-16**. This motion was seconded by Mr. Rives. Mr. Wright called for discussion from the Council or the audience.

Admiral Natter inquired as to the estimated time of completion on this project. Mr. Tim Westhoven said the city just received authorization to start acquiring right of way so it will be approximately eighteen months before starting construction and another nine to twelve months to completion. Admiral Natter said he felt the residents in that area would be very happy with the sidewalks.

There being no further discussion, on voice vote the motion carried unanimously.

4. **RESOLUTION NO. 5363-16 – DECLARE FURNITURE, FIXTURES AND EQUIPMENT AS SURPLUS TO BE SOLD AT AUCTION**

The City Attorney read Resolution No. 5363-16. This would declare furniture, fixtures and equipment as surplus to be sold as is at public auction.

Mr. Skelton made a motion to approve **Resolution No. 5363-16**. This motion was seconded by Mr. Rives. Mr. Wright called for discussion from the Council or the audience. Mr. Greene inquired as to the date of the auction. Mr. Ben Powell said the date had not yet been set as they are still gathering additional supplies from the Public Safety Center to place in the auction. It will be a public auction to be conducted by the same firm that has been conducting our auctions and an announcement will be made by public posting soon.

There being no further discussion, on voice vote the motion carried unanimously.

5. **2ND READING ORDINANCE NO. 16-2294 – AMEND MUNICIPAL CODE TO ADD CHAPTER FOR TRANSPORTATION NETWORK COMPANIES; AMEND CHAPTER REGARDING LICENSE SCHEDULE; AND ADD CHAPTER REGARDING TAXICABS**

The City Attorney had the Second Reading of Ordinance No. 16-2294. This would amend the Municipal Code to add Chapter 9, Article XII entitled "Transportation Network Companies"; to amend a portion of Chapter 8, Article II, Section 8-16(10) entitled "License Schedule" by adding Section 8-16 (10) (h) thereto; and to add Chapter 9, Article XI entitled "Taxicabs".

Mr. Skelton made a motion to **adopt Ordinance No. 16-2294**. This motion was seconded by Mr. Rives. Mr. Wright called for discussion from the Council or the audience.

Admiral Natter asked how this ordinance differs from those passed by Mountain Brook, City of Birmingham, and other adjoining cities. The City Attorney said this ordinance would allow the same taxi service/ride share service that is occurring in Mountain Brook and in Birmingham to occur in Hoover. A significant difference is that the licensee requirement will be covered by a \$500 blanket charge that the company would pay. This ordinance would also give our police chief an opportunity to review individual driving histories of the actual operators and inspect vehicles. While this is not going to be limiting in nature it will give the residents of Hoover a greater sense of safety. He said Chief Derzis is comfortable with the company that does the background checks of these drivers and that the drivers will have met the criteria that the police department expects. It gives another layer of protection for those who will be using the services. Admiral Natter said he had used Uber in various cities and states over the last two years and he had been extremely pleased with the services they offer with fares and the proximity from which they come. He welcomed them to Hoover if in fact the ordinance is passed.

Mr. Rives asked the City Attorney to confirm that there were no serious conflicts between this ordinance and ordinances that have been passed by other municipalities including problem areas that would cause operational problems to the TNC or to the taxicab. The City Attorney said that to the contrary he would say that this ordinance is collaborative in nature with the others that have been passed. This just gives, in some instances that he has already gone over, some rights that Hoover will enjoy. He felt these were fine with Uber other ride sharing companies and it may be that some of the other municipalities may go back and look at what Hoover is doing.

There being no further discussion, on roll call vote of the Council the votes were as follows: Mr. Greene, "Yea"; Mr. Lyda, "Yea"; Admiral Natter, "Yea"; Mr. Rives, "Yea"; Mr. Skelton, "Yea"; and Mr. Wright, "Yea". The motion carried unanimously.

6. **PUBLIC HEARING – CONDITIONAL USE – SALE OF BEER AND WINE –  
PARADISE BIRYANI POINTE – 1841 MONTGOMERY HWY., SUITE 105 &  
APPROVAL OF ABC APPLICATION – UNITED FOODS LLC**

Mr. Wright stated this is the public hearing to consider the request of United Foods, LLC, for conditional use approval to allow the sale of retail beer and retail table wine (on or off premises) at **Paradise Biryani Pointe**, 1841 Montgomery Hwy., Suite 105. This property is owned by Folmar and Associates and is zoned PC Planned Commercial.

Mr. Skelton made a motion to approve the **conditional use**. This motion was seconded by Mr. Rives. Mr. Wright called for discussion from the Council or the audience. There being none, on voice vote the motion carried unanimously.

Mr. Skelton made a motion to approve the **ABC Application** for United Foods, LLC. This motion was seconded by Mr. Rives. Mr. Wright called for discussion from the Council or the audience. There being none, on voice vote the motion carried unanimously.

7. **PAYMENT OF BILLS**

Mr. Skelton made a motion that the bills be paid as submitted. This motion was seconded by Mr. Rives. Mr. Wright called for questions or comments. There being none, on voice vote the motion carried unanimously.

Mr. Wright called for additional comments or questions from the Council.

**Mr. Dan Fulton**, Alford Avenue, spoke about concerns in the community regarding safety and security in the schools. He spoke of the need for students to be career-college ready, not crime ready. He emphasized the need for a pre-k program. He called on the City Council to provide additional funding for the schools adding that to not invest in our schools is to fail to invest in our future.

There being no additional comments or questions, the meeting was adjourned.

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Margie Handley, City Clerk